

May 17, 1930, and had been transported from the State of Oklahoma into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of phenolic compounds, rosin, alkali, and water.

It was alleged in the libel that the article was misbranded in that the following statements borne on the bottle label, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: "A Scientific preparation for building healthy tissue and destroying wasted tissue. Heals Eczema, Tetter * * * Pyorrhoea and all forms of irritation * * * Guaranteed—Will Grow Hair."

On September 23, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*

17638. Misbranding of Ponca Compound. U. S. v. 17 Packages of Ponca Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24766. I. S. No. 027009. S. No. 3123.)

Examination of samples of a drug product labeled as Ponca Compound having shown that the labels bore claims of curative and therapeutic effects that the article was incapable of producing, the Secretary of Agriculture reported to the United States attorney for the Western District of Pennsylvania, the presence of a quantity of the product at Pittsburgh, from the following described interstate shipment.

On May 17, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 17 packages of Ponca Compound, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Mellier Drug Co., from St. Louis, Mo., on or about May 24, 1930 (29), and had been transported from the State of Missouri into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained sulphur, sodium bicarbonate, and extracts of plant drugs.

It was alleged in the libel that the article was misbranded in that the following statements borne on the tin container, regarding the curative and therapeutic effects of the said article, were false and fraudulent: "Uterine alterative for Leucorrhoea, Dysmenorrhoea, Amenorrhoea, Metritis, Endo-Metritis, Menorrhagia, Metrorrhagia, Irregular Menstruation, Subinvolution, Painful Pregnancy."

On July 10, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17639. Misbranding of Dr. H. C. Lemke's laxative herb tea and Dr. H. C. Lemke's Blood Drops. U. S. v. 10 Packages of Dr. H. C. Lemke's Laxative Herb Tea, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 24860, 24861, 24862. I. S. Nos. 037263, 037264, 037265. S. Nos. 3191, 3192.)

Analyses of samples of drug products known as Dr. H. C. Lemke's laxative herb tea and Dr. H. C. Lemke's Blood Drops having shown that the labels bore certain claims of curative properties which the articles did not possess, the Secretary of Agriculture reported to the United States attorney for the Eastern District of Wisconsin that quantities of the said articles were located in Milwaukee, from the herein described interstate shipments.

On July 7, and August 14, 1930, respectively, the said United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 20 packages of Dr. H. C. Lemke's laxative herb tea and 4 bottles of Dr. H. C. Lemke's Blood Drops, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the articles had been shipped by the Dr. H. C. Lemke Medicine Co., Chicago, Ill., in part on or about March 11, 1930, and in part on or about March 19, 1930, and had been transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that Dr. H. C. Lemke's laxative herb tea consisted essentially of a mixture of senna, glycyrrhiza, althea, coriander seed, American saffron, buckthorn bark, flaxseed, fennel seed, lavender flowers, uva ursi leaves, elder flowers, and peppermint leaves; and Dr. Lemke's Blood Drops consisted essentially of extracts of plant drugs including a laxative drug, sugar, alcohol, and water.

It was alleged in the libels that the articles were misbranded in that the following statements regarding the curative or therapeutic effects of the articles, appearing in the labeling, were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Circular accompanying laxative herb tea) "Used to aid the action of the liver and kidneys. A few conditions in which this tea may be used with good success are constipation, indigestion * * * jaundice * * * coated tongue * * * headache, dizziness, boils, pimples, dry sallow skin, certain eruptions of the skin and face or body, etc., which may be caused from an inactive liver, kidneys, acute infectious diseases, general debility, etc. Good health depends on keeping clean, not only the external body but that which is also important—the internal organs. * * * If the bowels do not carry off the waste matter which nature intends should be thrown off, the stomach fails to work properly, undigested food may remain in the stomach and bowels, the food sours, ferments, starts to decay, poisonous gases may form, which are taken up by the blood. The blood thus poisoned, may cause complications, such as pimples, boils, blotches, rashes, etc. The liver and kidneys may become affected and bring on further complications;" (carton containing laxative herb tea) "These herbs will cure and dispel all attacks of * * * Coughs, Fevers, Catarrh in Head or Stomach. This tea is a valuable remedy to cure Dyspepsia, * * * Sick Stomach, Biliousness; Liver and Kidney Trouble, Headache and Dizziness. This tea will cure Costiveness and regulate the Stomach and Bowels in a short time; it will produce a good * * * digestion. This herb tea is an important blood purifier. It will relieve and certainly cure all diseases which originate from impure blood, such as Scrofula, Jaundice, Yellow Blotches and Pimples on the Face, Itching and Breakouts on the Skin. When this tea is used for a few weeks it will produce a fresh, healthy complexion. This tea is also highly recommended for all Female Diseases;" (circular accompanying Blood Drops) "Have proved a boon to many men and women afflicted with blood impurities, inactive liver, kidneys, stomach, bowels or bilious disorders, such as costiveness, dyspepsia, headache, dizziness, colic, cramps in the stomach or bowels. Taken regularly about the time menstruation is to begin they benefit by lessening the distress of painful or delayed periods;" (carton containing Blood Drops) "Dr. Lemke's Blood Drops * * * A Valuable Stomach Essence. * * * It regulates the Stomach and Bowels, produces a regular evacuation in a few days. These drops expel from the system all bilious disorders of the Liver, Stomach and Bowels, such as Hot, Feverish Skin, Palpitation of the Heart, Dizziness, etc. * * * will relieve Headache in a short time; Dyspepsia * * * Weak Stomach can be relieved in 10 days; diseased Kidneys, trouble of the Bladder, retention of the Urine can be relieved in 15 to 20 days. It is * * * an unfailing remedy for female diseases, as Obstruction of the Monthly Courses;" (label on bottle containing Blood Drops) "Dr. Lemke's Blood Drops * * * These drops have a wonderful power for all diseases of the Blood, Stomach and Bowels, such as: Costiveness, Bile in the Stomach, Pain and Dizziness in the Head, Dyspepsia, Liver and Kidney Diseases, Dropsy, * * * Colic and Cramps, and a thorough Blood Purifier, also for all Female Diseases, Obstruction of Monthly Courses, etc."

On August 6, 1930, and September 8, 1930, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17640. Adulteration and alleged misbranding of ether. U. S. v. 75 Cans of Ether. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 24750. I. S. Nos. 010920, 010921. S. No. 3109.)

Samples of ether from the herein described interstate shipments having been found to contain peroxide and excess acid, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.